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SESSIONAL WORKING GROUP ON THE IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

SUMMARY RECORD OF THE 4th MEETING

Held at Headquarters, New York,
on Wednesday, 15 April 1981, at 3 p.m.

Chairman: Mr. JOHNSON (Ecuador)

CONTENTS

Consideration of reports submitted in accordance with Council resolution 1988 (LX) by States parties to the Covenant concerning rights covered by articles 10 to 12 (continued)

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The meeting was called to order at 3.10 p.m.

CONSIDERATION OF REPORTS SUBMITTED IN ACCORDANCE WITH COUNCIL RESOLUTION 1988 (LX) BY STATES PARTIES TO THE COVENANT CONCERNING RIGHTS COVERED BY ARTICLES 10 TO 12 (continued)

Report of the Syrian Arab Republic (E/1980/6/Add.9)

At the invitation of the Chairman, Mr. Siage (Syrian Arab Republic) took a place at the Committee table.

1. Mr. SIAGE (Syrian Arab Republic), introducing the report of the Syrian Arab Republic concerning rights covered by articles 10 to 12 of the Covenant, observed that the Syrian Constitution was based on the principle of the attainment of economic and social freedom. It provided the widest possible protection and assistance to the family and recognized the right of all citizens to an adequate standard of living and to the highest attainable standard of physical and mental health.

2. According to principle 4 of the preamble to the Constitution, freedom was a sacred right and people's democracy was the ideal formula for guaranteeing the right of citizens to exercise that freedom and, as dignified human beings and useful members of society, to defend their homeland. Full freedom for Syrian citizens could be achieved only by economic and social freedom. Under article 20 of the Constitution, a system of private and mixed economic enterprises was designed to meet the country's economic needs, increase its income and ensure its people's welfare. Article 23 (4) provided for physical education to safeguard the physical and mental health of future generations.

3. His delegation had just received the report of the ILO Committee of Experts on the Application of Conventions and Recommendations and would be transmitting it to the Syrian Government for the additional information and clarification requested by the Committee.

4. Mrs. JIMENEZ BUTRAGUEÑO (Spain), referring to the section of the Syrian report on care for children, asked whether the Ministry of Social Affairs and Labour provided separate facilities and institutions for foundlings and for juvenile delinquents, and what particular problems Syria faced in dealing with juvenile delinquents. She would also like to know whether the physically and mentally handicapped were housed in separate institutions. With regard to the final paragraph of the Syrian report, she wished to know whether in providing health insurance to all citizens a distinction was made between the destitute and those who contributed to social security schemes.

5. Mr. SOFINSKY (Union of Soviet Socialist Republics) observed that the Syrian Government was obviously taking active steps to implement articles 10 to 12 of the Covenant. As a developing country, Syria clearly had to face a number of problems, many of them deriving from the political situation in the Middle East. He would welcome more information on the charitable association mentioned in the report which provided assistance to families.

6. Mr. ABDUL-AZIZ (Libyan Arab Jamahiriya) said that he would like to hear more about the new health insurance scheme, which was mentioned only briefly in the final paragraph of the Syrian report. Since the ILO Committee's report (E/1981/41) gave further information on the scheme, the representative of ILO might wish to provide the details.

7. Mr. KORDS (German Democratic Republic) said that he would welcome further information on any legal regulations which might have been enacted for the protection of children and young persons, for instance regulations restricting the number of hours worked by young persons.

8. Mr. SAMSON (International Labour Organisation) referred the Working Group to pages 32-34 of the report of the ILO Committee of Experts on the Application of Conventions and Recommendations (E/1981/41), which dealt with the Syrian Arab Republic. The Committee had concerned itself principally with two issues, maternity protection and the employment of children and young people, and its report was intended to supplement that of the Syrian Government.

9. With regard to maternity protection, the 1979 Health Insurance Act referred to in the final paragraph of the Government's report included the provision of health care during pregnancy and confinement. In its first stage, the health insurance scheme applied only to public officials, workers in public establishments and mixed enterprises, persons retired from such employment, and their dependants. The Committee had requested information on measures taken to extend maternity medical care under the scheme to women who were not yet covered.

10. The legislative provisions on maternity leave and payment of part wages during such leave were contained in the Syrian Labour Code and the Agricultural Labour Code, but did not apply to officials and employees in the public sector. The Committee had requested information on the provisions governing maternity leave and benefits for public officials and employees. The Labour Code also contained provisions to protect working women against employment in unhealthy or arduous work and against dismissal during maternity leave. The Committee had requested information on any similar measures in favour of women in the public sector and women agricultural workers.

11. With regard to the protection of children and young people, certain questions had arisen in the application of relevant ILO Conventions ratified by Syria. They included the establishment of more stringent standards for exposure of young people to radiation and more effective enforcement of legislation.

12. The Committee had also requested information about the prospect of raising the general minimum age for admission to employment and for leaving school in Syria, which was currently 12 years. It had suggested that steps be taken to raise the age at which manual transport of loads was permitted. Syrian legislation imposed limits on the weight of loads which might be carried by children between 12 and 17 years, but under ILO standards the minimum age for the manual transport of loads was 16 years. The Committee had also suggested that Syria should raise the age at which children were permitted to work at night. The age was now 15 years, while ILO standards provided for a minimum age of 18 years.

(Mr. Samson, ILO)

Finally, the Committee had suggested stricter regulation of hours of work of children and young people in agriculture; hours of work in that sector, including the hours of children and young people, could be as much as 60 hours a week for workers employed annually and as much as 54 hours a week for non-annual workers, with up to 12 hours a day in overtime and no maximum for persons tending animals.

13. The suggestions and questions put by the ILO Committee were intended to suggest points towards which the progressive implementation of the Covenant might be directed.

14. Mr. SOFINSKY (Union of Soviet Socialist Republics) reminded the representative of the ILO that, according to the agreement referred to at the Working Group's second meeting (E/1981/WG.1/SR.2), it was not appropriate from him to put questions to the representatives of States or to comment on the reports of Governments. His remarks should be confined to the agency's own contribution.

15. Mr. DOBBERT (Food and Agriculture Organization) introduced his agency's report to the Economic and Social Council under article 18 of the International Covenant on Economic, Social and Cultural Rights and paragraph 6 of Council resolution 1988 (LX) (E/1981/22). Since FAO did not engage in standard-setting activities as did the ILO, and had no monitoring machinery comparable to that of the other agency, the report was primarily descriptive and rarely referred to individual States or made any specific reference to country reports.

16. The FAO report dealt exclusively with progress in the implementation of article 11 of the Covenant, that is, with matters that fell within the constitutional functions and scope of activities of FAO. Apart from statistical and similar data showing the progress achieved in the eradicating hunger in the various regions of the world over the last 10 or 20 years, it consisted mainly of a description of major activities carried out within the framework of FAO, including relevant decisions of its governing bodies. Nevertheless, FAO hoped that it would be of assistance to the United Nations in assessing the progress made by the parties to the Covenant, individually and collectively, towards the implementation of the rights recognized in article 11.

17. Article 11 was the only article in the part of the Covenant setting forth specific rights to stress the "essential importance of international co-operation" as a means of ensuring the rights which it sought to guarantee. The Covenant thus recognized that, without international co-operation, many countries of the world would be unable to achieve full observance of the basic right to freedom from hunger. Under its constitution, FAO was the instrument through which its member nations took collective action to secure that freedom.

18. Another way in which the FAO report was intended to assist the United Nations was by illustrating the content of the right to freedom from hunger. Article 11.2 gave fairly comprehensive enumeration of the measures by which that right could be achieved, but it was worded in general terms. A more detailed indication of the measures that might be required was contained in the General Guidelines for the preparation of reports under articles 10 to 12 of the Covenant, prepared by the

(Mr. Dobbert, FAO)

United Nations with the collaboration of FAO and other organizations (E/1980/6). The FAO report took those Guidelines as a basis and described the kinds of measures that were being adopted in the context of article 11.

19. The report also sought to provide a broad framework for assessing the various measures referred to in the country reports. In respect of action at the national level, for example, some countries referred in their reports to progress in breeding new varieties of plants. The FAO report, while indicating the importance of such measures (paras. 26, 27 and 50), at the same time demonstrated the danger of an abuse of plant breeding techniques (para. 59). In connexion with measures at the international level, reference was made in several of the country reports to co-operation with the World Food Programme, jointly established by the United Nations and FAO. The FAO report contained an explanation of what that Programme was and what it did (paras. 84 to 86). It also gave information on some kinds of measures not referred to in the country reports, as well as on the nature of the assistance that could be provided to States within the framework of international co-operation.

20. The report's basic theme was set out in its first two paragraphs. The affirmation in the second paragraph that the present state of chronic malnutrition could be completely eliminated through the adoption of the measures set out in article 11.2 of the Covenant, and the effects of calamities considerably mitigated, was developed and substantiated in the body of the report. After reviewing the General Guidelines, the report covered each of the basic objectives set out in article 11.2; namely, the improvement of methods for the production, conservation and distribution of food. It sought to demonstrate, by referring to the extent of food losses, why the improvement of methods of conservation must be given equal importance with the improvement of production. At the same time, it stressed that improved production and conservation in many parts of the world would be rendered futile unless there were improved methods of distribution.

21. The report also dealt with each of the means set out in article 11.2 for obtaining those basic objectives. It described the progress achieved in making full use of technical and scientific knowledge, referred to progress in the dissemination of knowledge on the principles of nutrition, and placed considerable emphasis, in section II, on the awareness in several countries, of the need to develop or reform agrarian systems.

22. That awareness had been reflected in the Declaration of Principles and Programme of Action adopted by the 1979 World Conference on Agrarian Reform and Rural Development. The convening of that Conference had represented an unprecedented commitment on the part of the international community to the promotion of the economic and social development of rural populations. Emphasis was given in the basic principles set out in the Declaration to the need for the equitable distribution as well as the efficient use of land, water and other productive resources, and for the full particpation of rural people in policies and programmes affecting agrarian and rural systems.

(Mr. Dobbert, FAO)

23. Like some of the country reports, the FAO report also emphasized, in section V B, Measures to prevent degradation of natural resources, the need to work towards the objectives of the Covenant "in such a way as to achieve the most efficient development and utilization of natural resources".

24. In the context of article 11, paragraph 2 (b), the report dealt with a matter which had perhaps not received sufficient attention in the country reports: world food security. In section IX, International co-operation, and the latter part of section V, Food distribution, it described the arrangements being made, through the building up of national and regional food stocks, for example, to reduce vulnerability to the effects of calamities and assist those countries with chronic food shortages.

25. In recognizing freedom from hunger as a right, the Covenant made it clear that success in attaining that freedom depended essentially upon man himself - upon the individual, upon each nation and upon the community of nations. It followed that the success of FAO's own activities largely depended upon the adoption of appropriate policies by States at the national and international levels and the agency would therefore continue to co-operate fully with the United Nations in the implementation of article 11 of the Covenant.

26. Mr. SIAGE (Syrian Arab Republic), replying to the representative of the USSR, said that the charitable associations referred to in paragraphs 1 and 2 of section A of the report (E/1980/6/Add.9) were regulated by law. The assistance provided to large families included help in procuring training. In response to the representative of the German Democratic Republic, he noted that Syria was one of the few developing countries with free and compulsory education for children 6 to 12 years of age. In reply to the representative of the Libyan Arab Jamahiriya, he said that an ambitious health insurance programme had already been started, beginning with coverage for public officials and workers in public establishments and mixed enterprises. The ultimate aim was a comprehensive health programme covering all sectors of the population. He regretted that he would have to refer the questions asked by the representative of Spain to the competent authorities, who would answer her in due course.

27. The CHAIRMAN said that the Working Group had completed its consideration of the report by the Syrian Arab Republic concerning the rights covered by articles 10 to 12 of the Covenant

28. Mr. Siage (Syrian Arab Republic) withdrew.

29. Mr. SVERRE (Norway) felt that, in view of the agencies' expertise, the substantive interventions of the representatives of the specialized agencies were very useful to the Group in assessing the reports by States parties to the Covenant.

30. The CHAIRMAN said that as the matter of the observations of the specialized agencies had been very fully discussed by the previous sessional Working Group, he would again urge representatives not to reopen the debate.

The meeting rose at 4.20 p.m.